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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,484	06/14/2001	Ari Riecki	602.346USW1	7900

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EXAMINER

UBILES, MARIE C

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 09/09/2004 10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/881,484

Applicant(s)

RIEKKI, ARI

Examiner

Marie C. Ubiles

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on June 21, 2004 has been entered. Claims 20, 24, 30, 34 and 38 have been amended. No claims have been cancelled. No claims have been added. Claims 20-38 are still pending in this application, with claims 20 and 30 being independent.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claim 20 recites the limitation "second line" in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 20-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Redd, Jr. et al. (US 5,467,388).

Art Unit: 2642

As for claim 20, Redd, Jr. et al. discloses a system for allowing a telephone for allowing a telephone subscriber to selectively block incoming calls (i.e. call setup) for selected periods of time (i.e. method for controlling call setup in a telecommunication system) on an AIN telephone network (i.e. comprising a telephone network) (See *Fig. 2 and Best Mode, Col. 9, lines 1-14*), SSP type central offices (i.e. telephone exchange) connected to the AIN telephone network (i.e. a telephone exchange connected to the telephone network) (See *Fig. 2, SSPs 11, 13, 15, 17 and Best Mode, Col. 9, 27-42*), a subscriber on a telephone receiver A connected to the telephone exchange (or SSP 11) (i.e. a first subscriber line used by an A-party and connected to the telephone exchange) (*A-party* reads into "party A", *Col. 17, lines 18-19*)(See *Fig. 2 and Best Mode, Col 9, lines 14-16*), a subscriber on a telephone receiver D connected to the telephone exchange (or SSP 17) (i.e. a second subscriber line used by a B-party and connected to the telephone exchange)(*B-party* reads into "party D", *Col. 17, lines 18-19*)(See *Fig. 2*), a telephone station A (i.e. a first telecommunication terminal) (See *Fig. 2 and Best Mode, Col. 10, lines 20-22*), a telephone station D (i.e. a second telecommunication terminal) (See *Fig. 2 and Best Mode, Col. 10, lines 20-22*), the option to leave a message (or voice mail box) to the subscriber on telephone station D (i.e. an answering service pertaining to the B-party) (See *Best Mode, Col. 5, lines 59-62; Col. 10, lines 20-25 and 42-49*), a calling party on telephone station A calls a called party on telephone station D (i.e. in which method the first telecommunication terminal is used by the A-party and the second telecommunication terminal is used by the B-party) (See *Best Mode, Col. 10, lines 19-25*), a party at telephone station D activates selective call

Art Unit: 2642

blocking (i.e. setting from the second line a function preventing normal connection of a call to the second telecommunication terminal) (See. *Fig. 5 and Best Mode, Col. 15, lines 18-25*); and the calling party pressing '1' on telephone station A in order for the calling party to leave a message to a voice mail system of called party on telephone station D (i.e. directing by means of the first telecommunication terminal a call received in the answering service in accordance with the chosen action)(See *Best Mode, Col. 15, lines 61-67*).

It can be seen that Redd Jr. et al. lacks the limitation specifying "presenting by means of the answering service a group comprising at least one option of further actions to first telecommunications terminal".

Redd Jr. et al. teaches the function of a SCP instructing an SSP to play an announcement indicating the calling party (or A party) to enter an access code or press '1' to leave a message (See *Figure 5, Step 508 and Col. 15, lines 61-67*). The Examiner believes that the aforementioned function in combination with the "voice mail" disclosed by Redd Jr. et al., perform the same function claimed by Applicant. Further, an answering service (or voice mail) trigger may easily replace the announcement trigger function as these are well-known functions performed by SCPs/SSPs in an Advanced Intelligent Network.

As for claim 21, Redd, Jr. et al. specifies the use on an Advanced Intelligent Network as part of the telephone network (i.e. an intelligent network is connected to the telephone network)(See *Figs. 2 & 4*), and a terminating attempt trigger (TAT) is

Art Unit: 2642

generated at the system when the selective call blocking (i.e. call setup) feature is activated (i.e. call setup is controlled via the intelligent network) (See *Best Mode*, Col. 10, lines 26-49).

As for claim 22, Redd, Jr. et al. discloses the selection by the user of certain times of day for the automatic enablement of the selective call feature (i.e. normal call setup is prevented during a predetermined period of time)(See *Best Mode*, Col. 13, lines 29-51).

As for claim 23, Redd, Jr. et al. discloses the confirmation by verbal message to the subscriber of activation of the selective call blocking feature (i.e. wherein the B-party is informed about the function having been set)(See *Fig. 3B, step 328 and Best Mode*, Col. 13, lines 7-11).

As for claim 27, Redd, Jr. et al. discloses the use of a user ID and password by the subscriber in order to prevent unauthorized user from altering the status of the selective call blocking feature (i.e. the B-party's right to switch on the service is verified)(See *Best Mode*, Col. 12, lines 27-33).

As for claim 29, Redd, Jr. et al. discloses the recognition of SSP 17 (or telephone exchange of the second terminal) of the activation of the selective call block feature by telephone station D and generation of a Terminating Attempt Trigger (i.e. the function preventing normal call setup is set in the telephone exchange)(See *Best Mode*, Col. 10, lines 29-35).

As for claim 33, Redd, Jr. et al discloses the play of prerecorded announcement to a subscriber on telephone station A when the selective call blocking feature is

activated by subscriber on telephone station D (i.e. the system comprises means for informing the A-party about the function switched on by the B-party) (See Fig. 5, steps 501-508).

6. Claims 30, 31, 32 and 37 are system claims that correspond directly to method claims 20, 22, 23 and 21 respectively, and therefore are rejected under the same rationale.

7. Claim 38 is rejected for the same reasons as claims 20 and 30.

8. As for claim 24, Redd, Jr. et al. discloses the activation and deactivation performed by the subscriber of the selective call blocking feature by selecting from one of a number of menu items over the telephone by using a DTMF input (i.e. wherein the setting of the function are controlled via the second telecommunication terminal using DTMF signaling)(See *Best Mode*, Col. 11, lines 52-67 and Col. 12, lines 1-12).

As for claim 25, Redd, Jr. et al discloses the play of prerecorded announcement to a subscriber on telephone station A when the selective call blocking feature is activated by subscriber on telephone station D (i.e. the A-party is informed about the function switched on by the B-party, using a voice menu) (See Fig. 5, steps 501-508).

As for claim 26, when the function is deactivated, giving the B-party information regarding parties having called during the service, using a text message would have been obvious. It would, for example, read on a subscriber checking telephone numbers of calling parties on a Caller ID TM device.

As for claim 28, Redd, Jr. et al. discloses the input of a DTMF signal by the subscriber on telephone station A in order to leave a message on the voice mail of

subscriber on telephone station D (as read on "*connect via SSPs 11, 17*") (i.e. a call received by the answering service is controlled by means of the first telecommunication terminal using DTMF signaling)(See *Fig. 5, steps 502-503 and 508*).

As for claim 35, Redd Jr. et al. discloses the receipt, transmittal and comparison of a string of DTMF digits at the SSP and ISCP (or telephone exchange)(i.e. the telephone exchange comprises means for processing tone frequency signals)(See *Best Mode, Col. 10, lines 52-64*).

While Redd Jr. et al. does not directly mention the use of a functional protocol and/or text message for function setting by the B-party's telecommunication terminal; the A-party being informed of function on B-party by use of a functional message and/or a text message; and the A-party controlling a call received by the answering service by means of a functional protocol and/or a keypad protocol; he does disclose the following: "IP 47 may be connected to multiple switches within a telephone system via a T1 or ISDN Q.931 message interface ... IP 47 may be connected to at least one switch 17 and connected, via Ethernet TM interface to ISCP 40. In the preferred embodiment, IP 47 is connected via an ISDN, such as Bell Atlantic TM AIN, to ISCP 40. ... IP 47 may be used to perform all or part of the functions described in programming the selective call blocking service described above in connection with FIGS. 3A-3G."(See *Best Mode, Col. 16, lines 37-45 and 48-50*).

Thus, the A-party and the B-party will have the ability to control, deactivate and/or being informed of the function set up on terminal B by means of a functional

message/functional protocol and/or a text message/keyboard protocol; as these are inherent features of ISDN Q.931.

9. Claim 34 is a system claim that corresponds directly to method claims 24 and 28, and therefore is rejected under the same rationale.

10. As for claim 36, the use of a normal telephone on a PSTN as a first subscriber and/or second subscriber terminal would have been obvious. It would, for example, read on the use of a regular phone connected to the Bell System (or Public Switched telephone Network) in the United States of America.

Response to Arguments

11. Applicant's arguments with respect to claims 20-38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2642

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie C. Ubiles whose telephone number is (703) 305-0684. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marie C. Ubiles
August 27, 2004


WILLIAM J. DEANE, JR.
PRIMARY EXAMINER